

occur as a result of the construction of one single family residence at Lot 26, Block B, Lake Georgetown Estates, Williamson County, Texas. The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take applications. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made before 30 days from the date of publication of this notice. This notice is provided pursuant to Section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

DATES: Written comments on the application should be received on or before November 6, 1995.

ADDRESSES: Persons wishing to review the application may obtain a copy by writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Joseph E. Johnston or Mary Orms, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0063). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8:00 to 4:30), U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application(s) and EA/HCPs should be submitted to the Acting Field Supervisor, Ecological Field Office, Austin, Texas (see **ADDRESSES** above). Please refer to permit number PRT-806824 when submitting comments.

FOR FURTHER INFORMATION CONTACT: Joseph E. Johnston or Mary Orms at the above Austin Ecological Service Field Office.

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the "taking" of endangered species such as the golden-cheeked warbler. However, the Service, under limited circumstances, may issue permits to take endangered wildlife species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

Applicant: Angela and Paul Murski plan to construct a single family residence on Lot 26, Block B, Lake Georgetown Estates, Williamson County, Texas. This action will eliminate less than one-half acre of land and indirectly impact less than one-half additional acres of golden-cheeked warbler habitat per residence. The applicant proposes to compensate for this incidental take of golden-cheeked warbler habitat by placing \$1,500 into the City of Austin Balcones

Canyonlands Conservation Fund to acquire/manage lands for the conservation of the golden-cheeked warbler.

Alternatives to this action were rejected because selling or not developing the subject property with federally listed species present was not economically feasible.

Nancy M. Kaufman,

Regional Director, Region 2, Albuquerque, New Mexico.

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Office of Surface Mining Reclamation and Enforcement

Notice of Public Meeting and Request for Public Comments

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM or we) of the U.S. Department of the Interior is developing its recommendations to the President for the FY 1997 budget. As part of OSM's effort to be customer-driven, we are providing the public (you) with a chance to give us your recommendations on how much money we should ask for and how we should set our priorities to serve your needs. You can send us written comments. We will also hold a public meeting to give you and OSM's Management Council a chance to talk about FY 1997 priorities and funding levels. You can also let us know your views on other issues, but we prefer the focus to be on your priorities for FY 1997. The public meeting will be interactive, and will include several pre-selected roundtables. OSM will not respond directly to written comments or to the points raised in the public meeting. All points will be considered in the Management Council's deliberations. This is an experimental effort. If it works, we will use it in the future.

DATES: *Written comments:* We will accept written comments on the priority of our business lines and the program activities for fiscal year 1997 until 4:00 p.m. local time on November 1, 1995.

Public meeting: We will hold a public meeting in an interactive forum on our business lines and program activities for fiscal year 1997 in Washington, D.C. on October 31, 1995, beginning at 9:00 a.m. If more time is needed we will continue the meeting on November 1, 1995.

ADDRESSES: *Written comments:* Mail or hand-deliver to Victor J. Christiansen at the address provided under **FOR FURTHER INFORMATION CONTACT**.

Public meeting: The public meeting will be held at the South Interior Building's Auditorium, 1951 Constitution Ave., N.W., Washington, D.C.

FOR FURTHER INFORMATION CONTACT:

Victor J. Christiansen. Mr. Christiansen can supply information on our FY 1995-1996 budget for those interested, and may be reached at: Office of Surface Mining Reclamation and Enforcement, Room 244, 1951 Constitution Avenue, N.W., Washington, D.C. 20240; Telephone: 202-7851; E-Mail address on the internet: vchristi@osmre.gov.

SUPPLEMENTARY INFORMATION: OSM has decided to request public comments and to hold a public meeting where we hope to gain your input into our recommendations to the President on OSM's FY 1997 budget. To better enable you to prepare comments, we have included our mission and vision statements and a list of our business functions below. We would like you to prioritize the business lines and program activities, keeping in mind the mission and vision of OSM.

Mission

Our mission is to carry out the requirements of the Surface Mining Control and Reclamation Act in cooperation with States and Tribes. Our primary objectives are to ensure that coal mines are operated in a manner that protects citizens and the environment during mining and assures that the land is restored to beneficial use following mining, and to mitigate the effects of past mining by aggressively pursuing reclamation of abandoned coal mines.

Vision

In regulating active coal mining, we will maintain compliance at high levels and ensure that all mines are properly operated and promptly reclaimed to the standards established under the Act. We will emphasize prevention and ensure that long-term environmental problems do not occur. We will ensure that the premining productivity of the land is restored.

In reclaiming abandoned mine lands, we will aggressively pursue reclamation with a primary emphasis on correcting the most serious problems related to public health, safety, and the general welfare. We will ensure maximum public benefit through the prompt and fair distribution of public funds.

In cooperating with State regulatory authorities, the primary enforcers of SMCRA, and with Tribes, we will promote a shared commitment to the goals of the Act. We will develop

comprehensive understandings about the fairness, effectiveness, and efficiency of SMCRA programs. We will provide constructive program reviews, oversight monitoring, and technical assistance that focus on results. We will act independently to protect the public interest in situations of imminent harm or when a State does not implement an approved regulatory program.

In dealing with those who are affected by mining and reclamation, we will ensure the protection of citizens from abusive mining practices, be responsive to their concerns, and allow them full access to information needed to evaluate the effect of mining on their health, safety, general welfare, and property.

In our relations with the coal industry, we will have clear, fair, and consistently applied policies and will respect the importance of coal production as a source of our Nation's energy supply.

In all communications, we will maintain open, courteous, constructive, and timely dialogue and will use information to understand and improve our programs and those of our State and Tribal partners.

In demonstrating leadership in mining and reclamation, we will promote the development of the highest quality technical information and research and will seek the transfer of technology to those who would benefit.

In meeting our responsibilities, we will be a diverse, competent, innovative, and highly-trained work force. We will serve with integrity, and demonstrate technical, legal, administrative, and professional excellence at all times. We will constantly strive to create a more responsive, efficient, and effective process for achieving SMCA's objectives.

Business Lines and Program Activities

Financial Management involves the functions of collecting managing and disbursing the funds received from coal operators. This business line includes the costs of collecting, managing, disbursing and investing abandoned mine land reclamation fees. It also includes the full range of the audit, billing, and collection process. This line also finances the costs of collecting civil penalties from operators who violate any mining permit condition or any Title V SMCRA provision, as well as other administrative collections. It provides funds for protecting the environment, property and public.

Revenue Management—This program activity involves the identification, notification and collection of civil penalties and associated interest and bond forfeiture collections.

Fee Compliance—This program activity's primary purpose is to identify, notify, audit and collect fees from operators for the AML Fund. It is the AML Fund that provides monies for the reclamation of abandoned mine lands.

Financial Management—This program activity includes the programmatic accounting functions, such as AML and excluding administrative functions such as payroll. This also includes the fiscal responsibility and accounting for grants.

Environmental Restoration involves all those functions that contribute to reclaiming lands affected by past coal mining practices. This business line provides for the use of AML funds to protect public health, safety, and general welfare from extreme danger and adverse effects of coal mining practices. It also restores land and water resources and the environment previously degraded by these practices. In addition, OSM will finance the Appalachian Clean Streams Initiative in this business line.

The preponderance of the funding requirement is devoted to AML State reclamation funding. Also included in the grants area is funding for State operated emergency projects and priority projects. This business line also finances the costs of the Federal reclamation program, including the Federal emergency program and for priority projects in States that do not have a reclamation program. This business line also funds the costs of AML program development by providing resources for policy direction and program oversight.

State Funding—This program activity involves the funds allocated to the States for their approved AML programs. This does not include grant application processing or any other processes for administering the grants.

State Performance Evaluation—This program activity provides for monitoring the progress and quality of each approved State and Tribal reclamation plan.

Emergencies—This program activity provides for immediate relief from abandoned mine hazards that threaten public safety and health. It provides for implementation of the emergency program in States and Tribal lands without approved emergency reclamation programs.

Federal/Indian Lands—This program activity provides for the management of AML projects in States and Tribal lands without approved reclamation plans under the Federal Reclamation Program.

Program Development and Maintenance—The Program Development activity provides for

developing an allocation and distribution formula for grants to the States and Indian Tribes; management and maintenance of the National Abandoned Mine Land Inventory; development and implementation of the Appalachian Clean Streams Initiative; and the application and development of policies and regulations related to Title IV of SMCRA.

Environmental Protection encompasses those functions that directly contribute to ensuring that the environment is protected during surface coal mining operations. It also assures that coal operators adequately reclaim the land after the mining is complete.

This business line involved the oversight of State programs and the operation of Federal and Indian programs. As with the Environmental Restoration business line, the principal costs of delivering the Environmental Protection line are devoted to providing regulatory grants to the States. Other important responsibilities financed out of this business line include State program oversight through the inspection and evaluation processes and the operation of the Applicant Violator System. OSM funds State regulatory program development in this business line.

This business line also provides OSM with the resources needed to oversee Federal and Indian programs. It includes direct inspection and enforcement activities on Indian lands and in States not having primacy, and in States who have not entered into cooperative agreements to oversee Federal lands within their borders. It also provides for OSM's costs for regulatory program development.

State Funding—This program activity involves the grant funds OSM must allocate to each State with an approved regulatory program to fund up to 50% of their programs. This program does not include processing grant applications or any other processes necessary to disburse the grants to the states.

State Performance Evaluation—Includes those program activities associated with the assurance that the states are following the approved regulatory and abandoned mine land programs.

Federal Programs—Includes those program activities associated with establishing/maintaining a Federal presence to carry out the requirements of SMCRA.

Federal Lands—Includes those program activities associated with the negotiation and monitoring of cooperative agreements with primacy states to regulate coal mining on Federal

lands in their states; also includes direct regulatory activities on Federal lands in states without cooperative agreements.

Indian Lands—Includes direct regulatory activities on Indian lands and initiatives in self-governance and self-determination.

Program Development and Maintenance—Includes those program activities associated with the interpretation of SMCRA and its implementing regulations, reviewing and processing amendments to state programs and developing new program initiatives to meet changes in regulatory policy.

Applicant Violator System (AVS)—This program activity provides OSM, the states and tribes with the required information to fully meet the requirements of Section 510(c) of the Surface Mining Act.

Technology Development and Transfer captures OSM efforts to enhance the technical skills that States and Indian tribes need to operate their regulatory and reclamation programs and to meet SMCRA requirements. OSM wants to assure that States and Indian tribes have the highest possible level of technical capabilities necessary to run effective programs.

OSM provides technical outreach to States and Indian tribes in a multi-disciplinary approach to solve problems related to the environmental effects of coal mining. OSM provides daily informal assistance to States and Indian tribes. It also conducts technical studies on mining related problems and shares the results with them.

This business line provides the resources necessary to operate the Technical Information Processing system. This business line also funds OSM's technical training program by providing an ongoing formal educational program to increase the technical competence of OSM, State and Tribal personnel. It also funds COALEX, a computer assisted library search service, used to aid regulatory authorities by providing legal information on SMCRA, its implementing regulations and State regulatory information.

Training—The training program activity provides technical assistance to State, Tribal and OSM personnel by developing, conducting, evaluating, and/or coordinating all OSM training activities.

Technical Assistance—The technical assistance program activity addresses technical problems which arise during implementing of SMCRA. This includes assistance and advice to State, Tribal, and OSM personnel on specific issues related to Titles IV and V of SMCRA,

and current and effective methodology on mining and reclamation. This program area also includes the operation and maintenance of the Technical Information Processing System (TIPS), technical input for State program evaluation, assistance/testimony in court cases/hearings, preparation of technical studies, and interaction/coordination with other agencies on technical issues.

Technology Transfer—The technology transfer program activity provides assistance to customers in the understanding of SMCRA and in the dissemination of technical methods of achieve the requirements of SMCRA. This includes participation in technical meetings, interactive forums, and workshops; providing displays and speakers for conferences/seminars; and providing access and maintenance to information systems such as COALEX/LEXIS.

To assist us prioritize these business lines and program activities we have scheduled a public meeting on the fiscal year 1997 budget in Washington, D.C. Refer to **DATES** and **ADDRESSES** for the time, date and location for the meeting. The meeting will continue until everyone has had an opportunity to be heard. We will not prepare a formal transcript of the meeting, nor do we plan to provide formal responses to the written comments. We hope that this will facilitate dialogue in the interactive forum.

Any disabled individual who needs special accommodation to attend the public meeting should contact the individual listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: September 29, 1995.

Robert Uram,

Director, Office of Surface Mining Reclamation and Enforcement.

[FR Doc. 95-24897 Filed 10-5-95; 8:45 am]

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INTERSTATE COMMERCE COMMISSION

Notice of Intent to Engage in Compensated Intercompany Hauling Operations

This is to provide notice as required by 49 U.S.C. 10524(b)(1) that the named corporations intend to provide or use compensated intercompany hauling operations as authorized in 49 U.S.C. 10524(b).

1. parent corporation and address of principal office:

Explosives Technologies International, Inc. (ETI), Wilson Bldg., Suite 202,

3511 Silverside Road, Wilmington, DE 19810-4902

2. Wholly-owned Subsidiaries which will participate in the operations, and State(s) of incorporation:

- (i) Blastrite Services Inc., Incorporated—South Carolina; Incorporated—Georgia; Incorporated—Virginia
- (ii) Rimrock Explosives Inc., Incorporated—Idaho
- (iii) Southern Explosives Corporation, Incorporated—Kentucky
- (iv) United Explosives Company of Ohio, Incorporated—Ohio
- (v) Explosives Energies Inc., Incorporated—Missouri
- (vi) Golden State Explosives Inc., Incorporated—California
- (vii) Explosives Energies Inc., dba Arkansas Explosives, Incorporated—Arkansas
- (viii) Explo-Tech Inc., Incorporated—Pennsylvania; Incorporated—Maryland
- (ix) North Star Explosives Inc., Incorporated—Alaska
- (x) ACE Explosives ETI Ltd., Incorporated—Canada
- (xi) Explosifs ETI (Quebec) Inc., Incorporated—Canada

Vernon A. Williams,

Secretary.

[FR Doc. 95-24907 Filed 10-5-95; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-447X]

Muncie and Western Railroad Company—Abandonment Exemption—in Delaware County, IN

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Exemption.

SUMMARY: The Commission, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 10903-04 Muncie and Western Railroad Company's "whole-line abandonment" of its 3.72-mile line of railroad within the Macedonia industrial commercial site in Muncie, Delaware County, IN.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on November 5, 1995. Formal expressions of intent to file an offer¹ of financial assistance under 49 CFR 1152.27(c)(2) must be filed by October 16, 1995; petitions to stay must be filed by October 23, 1995; requests for a public use condition must be filed by October

¹ See *Exempt. of Rail Abandonment—Offer of Finan. Assist.*, 4 I.C.C.2d 164 (1987).